

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 16

Bill No. 54-19

Mr. Julian E. Jones, Jr., Councilman

By the County Council, October 7, 2019

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Building Height Requirements in the D.R.16 Zone.

FOR the purpose of providing certain height restrictions on new noncommercial buildings in the D.R.16 Zone where such buildings are within a certain distance of a public school that is over State-rated capacity increasing certain setbacks; and generally relating to buildings in the D.R.16 Zone.

BY repealing and re-enacting, with amendments

~~Section~~ Sections 1B01.2.B and 1B01.2.C.1.e
Baltimore County Zoning Regulations, as amended

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike-out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

3
4 ARTICLE 1B - DENSITY RESIDENTIAL (D.R.) ZONES

5 SECTION 1B01 - Regulations With Respect To D.R. Zones In General

6 § 1B01.2. - General density, bulk, building separation, open space and other height and area
7 standards and regulations.

8 B. Bulk regulations.

9 1. Detached and attached buildings. In the application of the provisions of this
10 article, buildings shall be considered as detached if there are no above-grade structural
11 connections between them. If buildings are, in fact, structurally connected above grade, they
12 shall be considered as mutually attached buildings if divided by lot lines, or as one building if
13 situated on a single lot.

14 2. Building lengths. The building lengths have been described in accordance with
15 Section 504.2, Comprehensive Manual of Development Policies.

16 3. BUILDING HEIGHT. IN D.R.16, ANY NEW NONCOMMERCIAL
17 BUILDING WHERE THE LOT AREA IS GREATER THAN FOUR ACRES, THE
18 PROPERTY BOUNDARY IS WITHIN ONE MILE OF A PUBLIC SCHOOL THAT IS OVER
19 105% STATE-RATED CAPACITY, AND THE PROPERTY IS IN OR WITHIN 1,000 FEET
20 OF A TIER II GROWTH AREA SHALL NOT EXCEED A MAXIMUM HEIGHT OF ~~35~~ 30
21 FEET.

1 C. Building setback requirements.

2 1. Except as otherwise may be provided under standards adopted pursuant to Section
3 504.2, the minimum setbacks and heights shall be as set forth in the following tables:

4 e. Multifamily buildings.

5 Multifamily Buildings

6		
7	<u>Building face to building face (front or rear)</u>	<u>60 feet</u>
8	<u>Building face to public street right-of-way</u>	<u>25 feet</u>
9	<u>Side building face to side building face:</u>	
10	<u>1 foot of setback per 1 foot of height to soffit line of tallest building</u>	<u>Not less than 30 feet</u>
11	<u>Building face to tract boundary:</u>	
12	<u>Front or rear building face</u>	<u>40 feet</u>
13	<u>Side building face</u>	<u>30 feet</u>

14 Additional setbacks:

15 Setbacks for buildings located adjacent to arterial roadways shall be
16 increased by an additional 20 feet. SETBACKS FOR ANY NON-
17 COMMERCIAL BUILDING WHERE THE LOT AREA IS GREATER
18 THAN FOUR ACRES, THE PROPERTY BOUNDARY IS WITHIN
19 ONE MILE OF A PUBLIC SCHOOL THAT IS OVER 105% STATE-
20 RATED CAPACITY, AND IS IN OR WITHIN 1,000 FEET OF A
21 TIER II GROWTH AREA SHALL BE TWICE THE DISTANCE AS
22 LISTED IN THIS TABLE.

1 This table lists minimum setback requirements and building heights for urban residential use. For
2 a fuller explanation of these and other requirements, consult the Comprehensive Manual of
3 Development Policies.

4
5 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
6 the affirmative vote of five members of the County Council, shall take effect on November 18,
7 2019, and shall be applied retroactively from January 1, 2019 and remain in full force and effect
8 until the ~~state-rated capacity~~ enrollment of any such public school within one mile of any
9 applicable area falls below 105% of its State-rated capacity.